

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 26, 2022**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NICOLE R.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:20-CV-00003-MKD

ORDER ADOPTING REPORT  
AND RECOMMENDATION TO  
GRANT MOTION FOR  
ATTORNEY FEES PURSUANT  
TO 42 U.S.C. § 406(b)

**ECF Nos. 26, 30**

Before the Court is Magistrate Judge James A. Goeke's July 11, 2022 Report and Recommendation. ECF No 30. Judge Goeke recommends the Court grant Plaintiff's Motion for attorney fees pursuant to 42 U.S.C. § 406(b). ECF No. 26. Neither party filed objections to the Report and Recommendation.

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After reviewing the Report and Recommendation, and relevant authorities,  
2 the Court finds the Magistrate Judge's findings are correct. Therefore, the Court  
3 adopts the Report and Recommendation in its entirety.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. The Report and Recommendation, **ECF No. 30**, is **ADOPTED** in its  
6 entirety.

7 2. Defendant's Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b),  
8 **ECF No. 26**, is **GRANTED**.

9 3. The Social Security Administration shall release to Plaintiff's counsel,  
10 Mr. D. James Tree, Section 406(b) attorney fees in the amount of **\$1,238.13**, and  
11 any additional funds withheld by the Social Security Administration for the  
12 payment of attorney fees shall be released to Plaintiff.

13 **IT IS SO ORDERED.** The District Court Executive is directed to file this  
14 Order, provide copies to counsel and to Magistrate Judge Goeke, and **CLOSE** the  
15 file.

16 DATED September 26, 2022.

17 s/Mary K. Dimke  
18 MARY K. DIMKE  
19 UNITED STATES DISTRICT JUDGE  
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